UNITED STATES PATENT AND TRADEMARK OFFICE

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10/627,027	07/25/2003	Joseph L. Del Callar	021756-063000US	3666

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ART UNIT	PAPER NUMBER
3693	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/627,027	DEL CALLAR ET AL.
	Examiner	Art Unit
	KEVIN POE	3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 March 2009</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-27</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to applicant's communication of March 20,

2009. Claims 1-27 are pending and have been examined. The rejections are

stated below.

Response to Amendment

2.   Applicant's amendment filed March 20, 2009 has been entered and

accepted. Based on Applicant's amendment, the rejection of claims 16-27 under

35 U.S.C. 101 has been withdrawn.

Response to Arguments

3.   Applicant's arguments with respect to rejected claims have been

considered but are moot in view of the new ground(s) of rejection.   Claim 1 is not

directed to a statutory process because it does not specify which if any steps is

carried out by one or more computer systems. The claim may have additional

step(s) which may be executed by the computer system and not the ones recited.

Also the phrase "one or more computers" renders the claim indefinite since which

steps are processed by which computer or without computer cannot be

ascertained including structural links.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

5.   Claims 1-12 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to nonstatutory subject matter. Based on Supreme Court

precedent, a method/process claim must (1) be tied to another statutory class of

invention (such as a particular apparatus) (see at least Diamond v. Diehr, 450

U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584,588 n.9 (1978); Gottschalk

v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780, 787-88

(1876)) or (2) transform underlying subject matter (such as an article or

materials) to a different state or thing (see at least Gottschalk v. Benson, 409

U.S. 63, 71 (1972)). A method/process claim that fails to meet one of the above

requirements is not in compliance with the statutory requirements of 35 U.S.C.

101 for patent eligible subject matter. Here claims 1-12 fail to meet the above

requirements because the claims fail to tie in another statutory class of invention.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

7.   **Claims 1-3, 16-18,** and **27** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of

Lam et al. [US Pub No. 2003/0020858 A1] and further in view of **Crane et al.**

[US Pub No. 2008/0052230 A1].

8.   Regarding **claims 1**, **13, and 16** Randell discloses a computer

implemented method, system, and program for matching a remittance to a

transaction (Abstract, 0017, 0021). Randell does not explicitly disclose

accessing remittance lines, transaction information, and a matching rule that

assigns a weight to a plurality of parameters considered in said matching.

However Lam teaches a request from an entity associated with a purchaser to

make payment to a vendor. The request includes a selection of a remittance

address from among the respective records for the entity associated with the

purchaser. (0026-0028). At the time of the invention it would have been obvious

to a person of ordinary skill in the art to modify the disclosure of Randell to

include the teachings of Lam to obtain invention as specified in claim 1. The

rationale to combine the teachings would be an improved system to facilitate

transactions between buyers and sellers. Randell discloses for each parameter

of the plurality of parameters, determining a score for a match between the

remittance and the transaction for the parameter, wherein the score corresponds

to a probability of an accurate match between the remittance and the transaction

for the parameter (level of match, 0073-0074). Lam discloses determining, using

the matching rule, a weight assigned to each of the parameters of the plurality of

parameters (0098). Randell discloses computing a weighted matching score

corresponding to a probability of an accurate match between said remittance and

said transaction and generating a match recommendation based on said

weighted matching score (level of match, 0073-0074). Lam discloses wherein

the weighted matching score is computed based upon, for each parameter of the

plurality of parameters, the assigned weight and the score for the parameter

(level of match 0058).

Randell does not disclose wherein the matching rule organizes the

parameters into a tree structure according to significance of each of the

parameters. However Crane teaches billing system suitably processes the

remittances through payment hierarchy system (tree structure) which applies a

payment hierarchy to the remitted funds to determine the ordering for applying

payments to the outstanding amounts owed to the financial events (0046). At the

time of the invention it would have been obvious to one of ordinary skill in the art

to modify the disclosure of Randell to include the teachings of Crane to obtain

invention specified. The rationale to combine the teachings would be for a more

efficient billing and remittance system.

9.   Regarding **claims 2 and 17**, Randell discloses determining that said

weighted matching score is below a minimum scoring threshold; and comparing

said remittance against a plurality of electronic invoices (0015).

10.   As per **claims 3 and 18**, Randell teaches wherein said comparing

comprises associating a sum of said plurality of electronic invoices closely to an

amount corresponding to said remittance (0015).

11.   As per **claim 27**, Randell discloses a computer usable medium wherein

said method further comprises handling said recommendations (Page 11 claim

22).

12.   **Claims 4 and 19** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of

Lam et al. [US Pub No. 2003/0020858 A1] and **Crane et al. [US Pub No.**

2008/0052230 A1] and further in view of **Koller et al. [US Pub No.**

2002/0103793 A1].

13.   Regarding **claims 4 and 19**, Randell does not disclose wherein said

associating is performed by a process comprising a Knapsack heuristic. However

Koller et al. teaches the first approach is based on an analogy between this

problem and the weighted knapsack heuristic: We have a set of items, each with

a value and a volume, and a knapsack with a fixed volume. Our goal is to select

the largest value set of items that fits in the knapsack. Our goal here is very

similar: every edge that we introduce into the model has some value in terms of

score and some cost in terms of space. A standard heuristic for the knapsack

heuristic is to greedily add the item into the knapsack that has, not the maximum

value, but the largest value to volume ratio [0353]. At the time of the invention it

would have been obvious to one having ordinary skill in the art to modify the

disclosure of Randell to include the teachings of Koller et al. to obtain invention

as specified. The motivation to combine the teachings is choosing possible

essentials that can fit into a weight.

14.   **Claims 5** and **20** rejected under 35 U.S.C. 103(a) as being unpatentable

over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of **Lam et al. [US**

Pub No. 2003/0020858 A1], Crane et al. [US Pub No. 2008/0052230 A1] and

further in view of **Sanders et al. [US Pub No. 2003/0158111 A1].**

15.   Regarding **claims 5 and 20**, Rahn does not explicitly disclose wherein

said remittance lines comprise a lockbox file. However Sanders teaches wherein

said remittance lines comprise a lockbox file (0310). At the time of the invention

it would have been obvious to one having ordinary skill in the art to modify the

disclosure of Randell to include the teachings of Sanders to obtain invention as

specified. The rationale to combine the teachings would be an improved method

for electronic funds reconciliation.

16.   **Claims 6, 9, 15, 21, and 24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of

Lam et al. [US Pub No. 2003/0020858 A1], Crane et al. [US Pub No.
2008/0052230 A1] and further in view of **Anglum [US Pub No. 2003/0065595**
A1], **Templeton et al. [US Patent No. 5,679,940]** and **Harper [US Pub No.**
2003/0212654 A1].

17.   Regarding **claims 6, 15, and 21**, Randell does not disclose calculating a
weighted customer score; calculating a weighted transaction score; and
determining a total weighted matching score based on said weighed customer
score and said weighted transaction score. However Anglum teaches in addition,
the present invention might look at the confidence quality of each name in the list
of potential matches. For instance, the name on the credit card might be "Richard
M. Nixon." Two individuals with similar names might reside within the trade zone
of the store in which the purchase is made, specifically an individual known only
as "Dick Nixon" and another individual who goes by the full name "Richard M.
Nixon." In this circumstance, the confidence of the second name on the list would
be higher than the first. As a result, the second name would score higher on the
match quality test (0041). At the time of the invention it would have been obvious
to one having ordinary skill in the art to modify the disclosure of Randell to
include the teachings of Anglum to obtain invention as specified. The motivation
would be to understand the desires and trends of its customers. Randell does
not disclose calculating a weighted transaction score. However Templeton et al.
teaches the host computer calculates a transaction score by accumulating the
scoring totals associated with each date element (Col. 28, lines 22-24). At the

time of the invention it would have been obvious to one having ordinary skill in
the art to modify the disclosure of Randell to include the teachings of Templeton
et al. to obtain invention as specified. The motivation to combine the teachings
would be to for risk assessment in a transaction.

Randell does not disclose determining a total weighted matching score
based on said weighted customer score and said weighted transaction score.
However Harper et al. discloses deterministic data correlation determines
whether an exact match has occurred and heuristic data correlation generates a
set of records that possibly match (candidate records)from the Customer Index
Database 14, and then determines a match score for the candidate records. In
heuristic correlation, the match scores for the candidate records are compared
within the process flow to determine the best match of the candidate set (0071).
At the time of the invention it would have been obvious to one of ordinary skill in
the art to modify the disclosure of Randell to include the teachings of Harper et
al. to obtain invention as specified. The motivation to combine the teachings
would be to collect and store customer information.

18.   In regards to **claims 9 and 24**, Randell does not disclose calculating a
weighted transaction number score; calculating a weighted transaction amount
score; and determining said weighted transaction score based on said weighted
transaction number score and said weighted transaction amount score. However
Templeton et al. teaches the host computer calculates a transaction score by
accumulating the scoring totals associated with each date element. The

authorization host computer then determines whether the transaction score is

equal to or greater than a predetermined level that is determined by the

merchant's scoring model. (Column 28 lines 22-27). At the time of the invention it

would have been obvious to one having ordinary skill in the art to modify the

disclosure of Randell to include the teachings of Templeton et al. to obtain

invention as specified. The motivation to combine the teachings would be to for

risk assessment in a transaction.

19.   **Claims 7-8 and 22-23** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of

Lam et al. [US Pub No. 2003/0020858 A1], Crane et al. [US Pub No.

2008/0052230 A1], and further in view of **Kilpatrick et al. [US Patent No.**

6,742,124 B1].

20.   Regarding **claims 7 and 22**, Randell does not explicitly disclose

determining a total match score comprises scoring strings and numbers.

However Kilpatrick et al. teaches considering an example comparison of the

strings "zabc" and "abcd." In this example, the hamming distance calculation

would yield a value of four because the two strings differ at each of the four

character positions [see column 9, lines 31-35]. At the time of the invention it

would have been obvious to one having ordinary skill in the art to modify the

disclosure of Randell to include the teachings of Kilpatrick to obtain invention as

specified in claim 7. The motivation to combine the teachings is Levenshtein

distances provide a smoother, more graduated distance metric [Column 9 line 30-31].

21.   Regarding **claim 8 and 23**, Randell does not disclose wherein said scoring strings and numbers is performed by a process comprising a Levenshtein and Longest common substring fuzzy scoring heuristic. However Kilpatrick et al. teaches the levenshtein distance calculation counts the differences between two strings, where differences are counted not only when strings have different characters, but also when one string has a character whereas the other string does not. In this manner, the levenshtein distance is defined for strings of arbitrary length [see column 9, lines 44-50]. At the time of the invention it would have been obvious to one having ordinary skill in the art to modify the disclosure of Randell to include the teachings of Kilpatrick to obtain invention as specified in claim 8. The rationale to combine the teachings is Levenshtein distances provide a smoother, more graduated distance metric.

22.   **Claims 10 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of **Lam et al. [US Pub No. 2003/0020858 A1], Crane et al. [US Pub No. 2008/0052230 A1], Anglum [US Pub No. 2003/0065595 A1], Templeton et al. [US Patent No. 5,679,940], Harper [US Pub No. 2003/0212654 A1],** and further in view of **Hey et al. [US Pub No. 2004/0208907 A1], Shurling et al. [US Patent No. 6,424,951 B1], and Falcone et al. [US Pub No. 2002/0194096 A1].**

23.   As per **claims 10 and 25**, Randell does not disclose calculating a

weighted customer name score. However Anglum teaches in addition, the

present invention might look at the confidence quality of each name in the list of

potential matches 38. For instance, the name on the credit card might be

"Richard M. Nixon." Two individuals with similar names might reside within the

trade zone of the store in which the purchase is made, specifically an individual

known only as "Dick Nixon" and another individual who goes by the full name

"Richard M. Nixon." In this circumstance, the confidence of the second name on

the list would be higher than the first. As a result, the second name would score

higher on the match quality test [0041]. At the time of the invention it would have

been obvious to one having ordinary skill in the art to modify the disclosure of

Randell to include the teachings of Anglum to obtain invention as specified. The

motivation would be to understand the desires and trends of its customers.

Calculating a weighted customer identity score is not explicitly disclosed.

However Hey et al. teaches means for calculating identity scores (0151).   At the

time of the invention it would have been obvious to one having ordinary skill in

the art to modify the disclosure of Randell to include the teachings of Hey et al. to

obtain invention specified. The motivation would be obtaining identity.

Calculating a weighted bank score is not explicitly disclosed. However

Shurling et al. teaches the Relationship scoring and Incentive Reward awarding

process advantageously implements a technique for scoring Relationships that a

customer has with a Bank (Column 17, line 39-41). At the time of the invention it

would have been obvious to one having ordinary skill in the art to modify the disclosure of Randell to include the teachings of Shurling et al. to obtain invention specified. The motivation would be for an implementation of a customer incentive program.

Determining said weighted customer score based on said weighted customer name score, said weighted customer identity score, and said weighted bank score is not explicitly disclosed by Randell. However Falcone et al. teaches calculating a customer score using at least one of said customer information. At the time of the invention it would have been obvious to one having ordinary skill in the art to modify the disclosure of Randell to include the teachings of Falcone et al. to obtain invention specified. The motivation to combine the teaching would be for optimizing profitability and revenue recovery for businesses.

24.   **Claims 11 and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Randell et al. [US Pub No. 2004/0064375 A1]** in view of **Lam et al. [US Pub No. 2003/0020858 A1], Crane et al. [US Pub No. 2008/0052230 A1], Anglum [US Pub No. 2003/0065595 A1]**, **Templeton et al. [US Patent No. 5,679,940], Harper [US Pub No. 2003/0212654 A1], Hey et al. [US Pub No. 2004/0208907 A1]**, **Shurling et al. [US Patent No. 6,424,951 B1], Falcone et al, [US Pub No. 2002/0194096 A1]**, and further in view of **Cuthbertson et al. [US Patent No. 5,724,597 A].**

25.   As per **claims 11 and 26**, Randell does not disclose calculating a
weighted customer string score; calculating a weighted customer acronym score;
and determining said weighted customer name score based on said weighted
customer string score and said weighted customer acronym score. However
Cuthbertson et al. teaches a method and system for matching textual strings
representing customer names/addresses is disclosed. The textual strings are first
transformed by a plurality of predefined filters. The transformed textual strings
are then compared utilizing a plurality of predefined comparators to determine if
the two transformed textual strings match. A score is determined based on the
comparison of the two transformed textual strings utilizing a scoring procedure.
Based on the score and a matching procedure, it is determined whether or not
the textual strings match (Abstract).

At the time of the invention it would have been obvious to one having
ordinary skill in the art to modify the disclosure of Randell to include the
teachings of Cuthbertson et al. to obtain invention as specified. The motivation
to combine the teachings is determining if two textual strings match.

26.   **Claims 12 and 14** are rejected under 35 U.S.C. 103(a) as being
unpatentable over **Randell et al. [US Pub. No. 2004/0064375 A1]** in view of
**Lam et al. [US Pub No. 2003/0020858 A1], Crane et al. [US Pub No.
2008/0052230 A1]** and further in view of **Rahn et al. [US Pub No. 2004/0054685
A1]**.

27   In regards to **claim 12**, Randell does not explicitly disclose sending said

match recommendation to a receipt application program interface; assigning an

informative header to a remittance for use by a receipt application; where said

match recommendation comprises an unmatched remittance, sending said

match recommendation to an unmatched remittance notification initiator; and

initiating a workflow notification corresponding to said unmatched remittance.

However Rahn discloses when a deposit is found to match an RA batch or sub-

batch based on an identifying criteria, for example, a deposit ID or a money

amount, the RA line items in the RA batch or sub-batch may be considered to be

matched to the deposit, and therefore fully paid and the RA batch or sub-batch is

advanced to an automatic RA-to-Claim matching process. Rahn discloses each

RA data type including RA Batches, RA sub-batches, and RA line item has a

unique list of possible states. For example, an RA sub-batch may have a

"Matched-to-Deposit" state, an "Unequal-Dollar- Match" state, an "Ambiguous"

state, or an "Unmatched" state. If it is determined that the sub-batches

associated with the selected batch are in the unmatched state, it is determined

whether the RA money totals associated with the batches (viz., an RA batch

money total record) have an assigned state designating that the RA batch is

unmatched (viz., an unmatched state) to be considered for the automatic deposit-

to-RA matching process, at a decision block 310. Rahn discloses upon

determining that the RA sub- batches associated with the selected unmatched

RA batches (i) have deposit ID identifiers associated with their RA sub-batches,

(ii) are in an unmatched state, and (iii) that the RA batch money total records are

in an unmatched state, the RA sub-batch may be selected at a block 312. Each

RA sub-batch may include a processor ID corresponding to the processor

responsible for providing information to the remitter and the remittance advice

provider (Rahn 0152-0156). At the time of the invention it would have been

obvious to one of ordinary skill in the art to modify the disclosure of Randell to

include the teachings of Rahn to obtain invention as specified in claim 12. The

rationale to combine the teachings would be an improved method and system for

automatically reconciling transactions.

28.   Regarding **claim 14**, Randell does not explicitly disclose a receipt

application program interface operating with said post match handler for

providing said match recommendation to a receipt application; and a notification

initiator operating with said post match handler for initiating a notification wherein

said notification comprises a report that a match failed between said remittance

and said transaction. However Rahn discloses the data compare manager

automatically compare deposit may automatically compare deposit information

data extracted from EDI files to RA data extracted from RAs in an attempt to

match the third party payor deposits to a particular RA batch or sub-batch. The

process of automatic matching of deposits to RAs, herein referred to as an

automatic Deposit-to-RA matching process, may continue until a number of

possible combinations of deposit to RA batches/sub-batches matches have been

attempted using a variety of identifying criteria. When a deposit is found to match

an RA batch or sub-batch based on an identifying criteria, for example, a deposit

ID or a money amount, the RA line items in the RA batch or sub-batch may be

considered to be matched to the deposit, and therefore fully paid and the RA

batch or sub-batch is advanced to an automatic RA-to-Claim matching process.

Rahn discloses an ambiguous state may indicate that the data compare manager

was unable to match the remittance advice sub-batch to a deposit (Rahn 0152-

0154).

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to KEVIN POE whose telephone number is

(571)272-9789. The examiner can normally be reached on Monday through

Friday 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, JAMES KRAMER can be reached on 571-272-6783. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

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/JAGDISH N PATEL/
Primary Examiner, Art Unit 3693